

MINUTES OF THE MEETING OF JULY 21, 1999

TIME: 12:05 P.M. - 2:50 P.M.
DATE: Wednesday, July 21, 1999
PLACE: Canal Commission Office
Stockton, New Jersey



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Marshall, Pauley, Torpey; Ms. Goodspeed,
Mrs. Nash and Ms. Shaddow (representative for Mayor Palmer)
STAFF: Mr. Amon, Ms. Holms and Ms. Barth
Mr. Lewin Weyl, Deputy Attorney General
GUESTS: Robert Mettler, Franklin Twp. Historic Preservation Commission
Bill McKelvey, Friends of NJ RR & Transportation Museum
Elizabeth Dowd, D&R Canal State Park
Joe Shepherd, NJ Water Supply Authority
Tom Gale, Franklin Twp. Historic Preservation Commission
David L. Horst, Andersen Engineering
Bruce Hamilton, Meadows Foundation
Ellen Hamilton, Meadows Foundation
Jeffrey R. Betz, ESP Associates
Greg Valesi, ESP Associates
Joseph Giddins, ESP Associates
Aldo Carminio, Turner Construction Co.
Linda Courtney, NJ Office of Design & Construction
Susan Herron, D&R Canal State Park
Rebecca Williams, D&R Canal State Park
Katherine Fling, NJ Dept. of Human Services
David Brook, Franklin Twp. Environmental Commission
Leonard Kohl, Castle Senior Living
Jonathan Litt, Castle Senior Living
Barbara Ross, D&R Canal Watch
Rick Goeke, Franklin Twp. Historic Preservation Commission



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EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS

Frank J. Torpey
Chairman

Martin D. Jessen
Vice-Chairman

Winona D. Nash
Treasurer

Sam Herzog
R. William Pauley

Robert C. Shinn, Jr.
Caroline J. S. Armstrong

Douglas H. Palmer
Marfy Goodspeed

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Christine Todd Whitman, Governor Robert C. Shinn, Jr. Commissioner

Mr. Torpey opened the meeting and announced that this was a regular meeting of the D&R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met.

MINUTES

Mrs. Nash moved approval of the minutes of June 16, 1999; Ms. Goodspeed seconded the motion and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented a permit application from NJ DOT to re-deck the abandoned railroad bridge over the canal near Old Rose Street in Trenton. The proposal is for 4' x 10' boards to be placed perpendicular to the bridge. Mrs. Nash moved approval of the permit application, Ms. Goodspeed seconded the motion, and it passed unanimously.

REVIEW ZONE PROJECTS

Mr. Amon presented seven "B" Zone projects for approval:

98-2477 - Meadow Lane Apartments - West Windsor Township; proposed addition of 164 apartments to an existing 60-unit apartment complex. The applicant has requested a waiver from the Stream Corridor Regulation because the property is already fully developed.

98-2505 - Campus Drive Industrial Building - Hillsborough Township; proposed 63,087 square-foot industrial building, parking and two detention basins to manage stormwater runoff.

99-2541 - Monroe Hunt - Monroe Township; 46 single family houses on 50+ acres with one detention basin.

98-2456 - Quick Check Food Store and Gas Station - West Amwell Township; proposed retail store and gas station on 4.6 acres with 2 detention basins.

98-2506 - Bunn Drive Extension & Office Buildings - Princeton Township; extension of Bunn Drive and creation of five lots for commercial development with one detention basin to be built for one of the lots and the road extension.

98-2500 - Princeton Nursing and Rehab Center - Princeton Township; 3-story nursing home on 6.27 acres with 143,319 square feet of new impervious cover.

99-2168A - Trenton Psychiatric Hospital Forensic Center Addition - Ewing Township; construction of a building addition and parking lot expansion; an existing detention basin will be slightly enlarged.

Mr. Amon said that the projects complied with the Commission's standards for stormwater management and water quality and recommended approval. Ms. Goodspeed moved approval of the "B" Zone projects with the exception of the Meadow Lane apartments and the Princeton Nursing and Rehab Center; Mrs. Nash seconded the motion. The motion passed without dissent. Ms. Goodspeed then moved waiver of the Stream Corridor Impact Regulation and approval of the Meadow Lane Apartments; Mrs. Nash seconded the motion. Messrs. Pauley, Marshall, Torpey, Mrs. Nash and Ms. Goodspeed voted in favor of the motion; Mr. Jessen abstained. The motion passed. Ms. Goodspeed moved denial without prejudice of the Princeton Nursing and Rehab Center; Mrs. Nash seconded the motion. The motion passed unanimously.

Mr. Amon presented one "A" Zone application for waiver from visual impact review:

99-2561 - Clark Garage Renovation - Hopewell Township (River Road, Titusville)

Mr. Amon said that existing structures and trees block the view of this building from the Canal Park. Mr. Jessen moved waiver of the Clark garage renovation; Ms. Goodspeed seconded the motion. Messrs. Pauley, Marshall, Jessen, Mrs. Nash and Ms. Goodspeed voted in favor of the motion; Mr. Torpey abstained. The motion passed.

Mr. Amon presented the following "A" Zone application for approval:

99-2559 - Willow Street Bridge Decoration - Trenton

The City of Trenton is proposing to install decorative tiles in the concrete parapets of the Willow Street bridge over the canal. Mrs. Nash moved approval of the project and Mr. Pauley seconded the motion. Messrs. Marshall, Pauley, Jessen, Mrs. Nash and Ms. Goodspeed voted in favor of the motion; Mr. Torpey abstained. The motion passed.

Mr. Amon then presented a second "A" Zone application for approval:

99-2518 - Castle Senior Living - Franklin Township, Somerset County

Mr. Amon said that this was a senior housing project consisting of two buildings; one 3 stories and one 5 stories (52 feet high). He said that the distance from the Canal Park to the site was approximately 900 feet, and the distance from the park to the 5-story building was slightly over 1,000 feet. He said that it was unclear whether the top of the building would be higher than the existing trees, and that the project would require a waiver from strict compliance with the visual impact regulation if it was. He recommended that the Commission grant the waiver and approve the project with the condition that the construction disturbance on the Easton Avenue side of the property be limited to the eastern edge of the perimeter road.

Mr. Hamilton said that the trees in that area would not get any higher, and expressed opposition to the waiver request. He said that all vegetation would be cleared near DeMott Lane, creating a

large gap, and that it would take 100 years for the proposed plantings to screen the building. He also opposed the installation of a lighted sign.

Mr. Brook said that the proposal would not comply with the Commission's standards and also opposed the waiver request. He suggested either lowering the table top, or switching the buildings so that the 5-story building was behind the 3-story building.

Mr. Valesi said that the strata in this area is shale and rock and therefore it would be difficult to lower the table top any further; also, he said that lowering it would create very steep slopes near the ring road. He said that if the buildings were switched, the scale of the design would be wrong.

Mr. Hamilton also mentioned that this project was across the road from the Van Wyckle House, an important historic structure in the Canal Park.

The Commissioners agreed to postpone any action until they received more information. Ms. Goodspeed requested that the applicant use helium-filled balloons to show whether the top of the building would be above the treeline or not. The Commissioners also requested that the engineer show the exact distance from the building to the Canal Park on a plan.

REQUEST BY TRAP ROCK INDUSTRIES TO CHANGE THE TERMS OF ITS APPROVAL FOR DEMOLITION OF TWO HOUSES

Mr. Amon said that in June, 1998, the Commission approved the demolition of two historic houses in Franklin Township, with several conditions--one being that the foundations be left. The applicant, Trap Rock Industries, has requested that the foundations be demolished as well, because they would present a liability and would preclude any future use of the properties. Several members of the Franklin Township Historic Preservation Commission spoke in opposition to the request to demolish the foundations. The Commissioners decided not to grant the request until they heard from representatives of Trap Rock.

CANAL COMMISSION BUDGET FOR FY 2000

Mr. Amon distributed a draft spending plan for Fiscal Year 2000 for the operating expenses of the Canal Commission. Mr. Jessen moved approval of the spending plan; Mrs. Nash seconded the motion, and it passed without dissent.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Herron introduced Elizabeth Dowd, the Canal Park's new Historic Preservation Specialist. Ms. Dowd described the work she has done to date promoting education and interpretation of the history of the D&R Canal. Ms. Herron also reported that the firm Goldman Sachs donated \$500 to Canal Watch toward interpretative signs of canal locks.

NEW BUSINESS

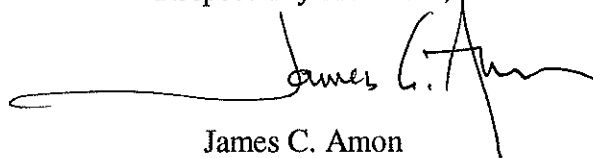
Mr. Amon said that legislation has been introduced in Congress and assigned to committee to designate the Lower Delaware River as a Wild and Scenic River. He recommended that the Commission pass a resolution in support of the legislation. Ms. Goodspeed moved approval of a resolution supporting the designation of the Lower Delaware River as a Wild and Scenic River; Mr. Jessen seconded the motion, and it passed unanimously.

PUBLIC FORUM

Ms. Barth updated the Commission on planned 25th anniversary events, including the celebration to be held on September 25th which will honor those citizens responsible for creating the D&R Canal State Park. She showed a video of a canal barge ride that recently took place on the Morris Canal, hoping that the same boat could be used for the September 25th celebration.

The Commissioners discussed aspects of a letter sent to them from the Sierra Club regarding the Millstone Bypass. It was agreed to discuss the issue further at a future meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is written in a cursive style with a long horizontal stroke extending to the left.

James C. Amon